

### REMARKS

This is in response to the Office Action that was mailed on August 4, 2003. Claim 1 has been limited to recite the scope of former claim 4. Claims 4 and 6 have been cancelled, without prejudice. Claim 17, like claim 1, has been limited to recite piperazinyl isoquinolines. New claims 18-20 are added, drawn to preferred embodiments of the claim 1 compound invention. New claim 18 replaces claim 13. New claim 19 replaces claim 14. New claim 20 replaces claims 15 and 16. New claim 21 corresponds to claim 20, but further limits the definition of "B". New claim 22 corresponds to claim 1, but further limits the definition of "B". New claims 23 and 24 correspond to claim 20, but depend from claims 18 and 19. New claim 25 corresponds to claim 19, but depends from claim 18. Thus, the claims are amended, without the introduction of new matter, in order to advance the prosecution of this application. With this Amendment, claims 1, 7, and 9-12, and 17-25 are in the case.

#### **Rejection Under 35 U.S.C. §112, second paragraph**

Claims 1, 4, 6-9, and 11-17 were rejected under the second paragraph of 35 U.S.C. §112 as allegedly failing to define the invention properly. Office Action, pages 5-6. (A) The phrase "condensed pyridine" has been removed from the claims. (B) Such claim language as "optionally substituted aryl, optionally substituted heteroaryl" has been removed from the claims. (C) Claim 8 has been cancelled, without disclaimer of its subject matter, solely in order to facilitate the prosecution of this application. (D) In claim 11, the recitation of "efficacious" has been deleted, without disclaimer of the subject matter, solely in order to facilitate the prosecution of this application. (E) Claims 9 and 10 have been amended to recite a pharmaceutically acceptable carrier, as

suggested by the Examiner. It is respectfully submitted that the claims in their current form satisfy the requirements of the statute.

**Rejections Under 35 U.S.C. §101 and §112, first paragraph**

Claim 11 was rejected under 35 U.S.C. §101 and under the first paragraph of 35 U.S.C. §112. Office Action, page 6. Although the Office Action refers to claim 10 in this connection, it is believed that method claim 11 was intended rather than composition claim 10. The Office Action refers to the lack of a process step. Claim 11 has been amended to recite “a method for treating spastic paralysis or for ameliorating myotonia, which comprising the **step** of administering to a patient a pharmaceutically effective dose of the compound as claimed in **Claim 1**, its pharmaceutically acceptable salt or hydrates thereof”. It is respectfully submitted that the claim as amended complies with the requirements of the statutes.

**Rejection Based On 37 CFR 1.141**

Claim 6 was rejected as containing more than a “reasonable number” of compounds. Claim 6 has been cancelled, thereby obviating this ground of rejection.

**Rejections Under 35 U.S.C. §102**

Claims 1, 4, 9, 10, and 17 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by the Gy et al. reference, and by the Karl reference. Office Action, page 3. The claims in their present form are not believed to be anticipated by the references cited.

**Rejections Under 35 U.S.C. §103**

Claims 1, 2, 6-10, and 12-17 were rejected under 35 U.S.C. §103 as allegedly being obvious from the Aebi et al. reference, and from the Nair et al. reference, and from the Simmonds et al. reference. Office Action, page 3 bottom through page 5 top. The claims in their present form are not believed to be structurally obvious from the cited references. Moreover, the compounds defined by the present claims have pharmaceutical advantages that are neither taught nor suggested by the cited references.

**Conclusion**

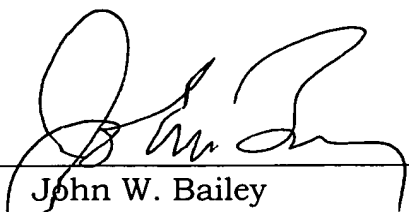
Should there be any issues remaining in this application that require discussion, the Examiner is invited to contact Mr. Richard Gallagher, Registration No. 28,781, at (703) 205-8008.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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